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6 Attorney for Stevie Nelon

7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14 STEVIE NELON,
15 Defendant.

Case No. 2:21-cr-00158-RFB-DJA-1

STIPULATION TO CONTINUE
BRIEFING SCHEDULE
(First Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
17 United States Attorney, and Allison Reese, Assistant United States Attorney, counsel for the
18 United States of America, and Rene L. Valladares, Federal Public Defender, and Navid Afshar,
19 Assistant Federal Public Defender, counsel for Stevie Nelon, that the simultaneous briefing
20 related to the evidentiary hearing of January 31, 2023, currently due on March 20, 2023, be
21 vacated and continued to a date and time convenient to the Court, but no sooner than twenty-
22 one (21) days.

23 This Stipulation is entered into for the following reasons:

24 1. Counsel for the defendant needs additional time to complete the simultaneous
25 briefing due to proceedings and trial preparations in other cases.
26

2. Counsel for the defendant will be unavailable the following week and likely out of the district.

3. Counsel for defendant needs additional time as there are certain matters that require additional research and has not had the opportunity to consult with Mr. Nelon.

4. The defendant is not in custody and agrees with the need for the continuance.

5. The parties agree to the continuance.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

This is the first to continue the briefing schedule for the simultaneous briefing ordered by the Court.

DATED this 15th day of March, 2023.

RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

By /s/ Navid Afshar
NAVID AFSHAR
Assistant Federal Public Defender

By /s/ Allison Reese
ALLISON REESE
Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVIE NELON,

Defendant.

Case No. 2:21-cr-00158-RFB-DJA-1

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to complete the simultaneous briefing due to proceedings and trial preparations in other cases.

2. Counsel for the defendant will be unavailable the following week and likely out of the district.

3. Counsel for the defendant needs additional time as there are certain matters that require additional research and has not had the opportunity to consult with Mr. Nelon.

4. The defendant is not in custody and agrees with the need for the continuance.

5. The parties agree to the continuance.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

ORDER

IT IS THEREFORE ORDERED that the simultaneous briefing related to the evidentiary hearing of January 31, 2023, currently due on March 20, 2023, be vacated and continued to April 10, ____, 2023.

Dated this 16th day of March, 2023.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE